

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

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CRIMINAL DOCKET NO. 10-137

v.

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SECTION: "C"

KEVIN J. PENNISON

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The above-named defendant, **KEVIN J. PENNISON**, has agreed to plead guilty as charged to the Indictment now pending against him. Should this matter have proceeded to trial, the United States of America would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimonial, physical and demonstrative evidence, the following facts to support the allegation against the defendant, **KEVIN J. PENNISON ("PENNISON")**:

Unless stated otherwise, all events set forth herein occurred in the Eastern District of Louisiana.

Count 1

On April 28, 2009, a confidential source ("CS") working with the Terrebonne Narcotics Task Force ("TNTF") advised that the CS had spoken with **PENNISON** about buying methamphetamine. The CS made a recorded call to **PENNISON** at (985) 709-6384, but

PENNISON said that he “hadn’t found anything out yet.” On June 29, 2009, the CS placed another call to **PENNISON**. The CS asked, “What it look like on the shit?” referring to methamphetamine. **PENNISON** replied, “It looks good.” The two planned a purchase for the next day.

On June 30, 2009, law enforcement met with the CS. The CS placed a recorded call to **PENNISON** for the purpose of purchasing “a ball,” or approximately one-eighth of an ounce, or methamphetamine. **PENNISON** was still sleeping, but called the CS back later and told the CS to meet **PENNISON** at a bar names Kathy Shaw’s.

The CS traveled to the bar under surveillance. The CS met with **PENNISON** in the parking lot. **PENNISON** then directed the CS to go to the a shopping mall parking lot. The CS did so, and **PENNISON** followed him on his White Harley Davidson, FL 41144P.

Near the intersection of Bayou Gardens and Vicari, **PENNISON** pulled along side the CS and told the CS to stop in the parking lot recruiting station. There, the CS handed **PENNISON** money. **PENNISON** said he would be right back. The CS then told **PENNISON** to meet the CS back at the CS’ residence, and **PENNISON** agreed.

PENNISON arrived at the parking lot at the CS’ apartment residence at 4:47 p.m. At 4:49 pm., **PENNISON** handed the methamphetamine to the CS. **PENNISON** then asked the CS to “break off” a piece of the methamphetamine for **PENNISON**.

The CS gave **PENNISON** a small amount of the methamphetamine. They then discussed a future purchase of one ounce for \$1,600.00.

The CS then left his residence to meet with agents at a predetermined location. The CS turned the methamphetamine over to the agents. The methamphetamine was later sent to the

South Central Laboratory in Dallas, Texas, for analysis. It tested positive for methamphetamine hydrochloride and had an actual weight of 1.2 grams.

Count 2

On July 9, 2009, a TNTF CS made a recorded call to **PENNISON** at (985) 709-6384. The CS asked if **PENNISON** was ready. **PENNISON** said that he was not and to give him about an hour. The CS asked him to check on the numbers, referring to a planned methamphetamine transaction, to which **PENNISON** responded that his source told him 16 for a whole one, referring to a price of \$1,600.00 for an ounce of methamphetamine. Later, the CS places another call to **PENNISON** and asked him if they'd be able to do the whole thing, referring to an ounce. **PENNISON** stated that he believed so and would talk to his source that night.

On July 10, 2009, at 10:00 a.m., the CS informed agents that **PENNISON** had arrived at the CS' residence ready to make the deal. The CS advised **PENNISON** that the CS needed to go to the bank to get the money. The CS then left and met with agents, where the CS was wired and given advanced funds.

Under surveillance, the CS returned to the residence and met with **PENNISON** and an unknown white female in the driveway. All three entered the residence. The CS then gave \$1,600.00 to **PENNISON** in order to obtain one ounce of methamphetamine.

At about 11:00 a.m., **PENNISON** and the female exited the surveillance. **PENNISON** then dropped the female off at a residence on Royce Street. Thereafter, **PENNISON** drove to and entered a residence in Houma belonging to **PENNISON's** source of the methamphetamine. He stayed for about 7 minutes and then left.

PENNISON then drove back to Royce Street and picked up the female. The two then returned to the CS' residence. There, **PENNISON** handed the CS approximately one-half ounce of methamphetamine. **PENNISON** advised that his supplier was almost out, and this was all he could get. **PENNISON** returned \$800.00 to the CS. **PENNISON** then asked the CS to break him off a piece of the meth, which the CS did. **PENNISON** conducted this transaction on his Harley Davidson, FL 41144P.

The CS then met with agents and turned everything over to them. The methamphetamine was later sent to the South Central Laboratory in Dallas, Texas, for analysis. It tested positive for methamphetamine hydrochloride and had an actual weight 5.2 grams.

Count 3

On September 24, 2009, law enforcement with the TNTF directed a CS to make a recorded call to **PENNISON** in an effort to verify that **PENNISON** could reach out to his source for one-eighth ounce of methamphetamine. **PENNISON** responded that it would take at least two days before he could get it.

On September 29, 2009, the CS told law enforcement that **PENNISON** had called the CS and was ready to make the transaction. **PENNISON** wanted to meet at his mother's house at 202 Lyle Street in Houma. Agents wired up the CS and gave him advanced funds for the purchase.

At 3:47 p.m, the CS traveled to 202 Lyle. While the CS was there, the CS handed **PENNISON** \$250.00. **PENNISON** then told the CS to meet him at the tattoo shop near the tunnel on Tunnel Boulevard.

When the CS and **PENNISON** left 202 Lyle, the CS headed to the tattoo shop. **PENNISON** was on his Harley Davidson, FL 4144R. The CS arrived at the shop, but **PENNISON** continued though the tunnel.

At 3:43 p.m., **PENNISON** arrived at the shop and handed a bag containing methamphetamine to the CS. The CS then exited to a predetermined location and relinquished everything to the agents. The methamphetamine was later sent to the South Central Laboratory in Dallas, Texas, for analysis. It tested positive for methamphetamine hydrochloride and had an actual weight of .92 grams.

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KEVIN J. PENNISON
Defendant

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